

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2016-0011

AMENDING
WATER CODE SECTION 13301 ORDER R5-2014-0117
FOR

RECOLOGY HAY ROAD
JEPSON PRAIRIE ORGANICS AS A DBA OF RECOLOGY HAY ROAD
RECOLOGY HAY ROAD LANDFILL
SOLANO COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board or Board), finds that:

1. Recology Hay Road and Jepson Prairie Organics as a dba of Recology Hay Road (hereafter jointly referred to as Discharger) own and operate an active landfill and composting facility east of Vacaville in Solano County. The landfill and composting operation is known as the Hay Road Landfill.
2. Waste Discharge Requirements (WDR) Order R5-2008-0188, adopted by the Central Valley Water Board on 5 December 2008, regulate the operation, closure, corrective actions, and post closure maintenance at the landfill and compost areas.
3. Due to numerous violations of the WDRs, on 9 October 2014, the Central Valley Water Board adopted Water Code Section 13301 Order R5-2014-0117. The 13301 Order establishes a time schedule the Discharger must follow in order to return to compliance.
4. Hereby Ordered Items No. 3 (compost ponds) and 4 (in-vessel composting) require that the Discharger either implement changes to comply with the WDRs or submit a Report of Waste Discharge (RWD) and request that the WDRs be revised. Hereby Ordered Items 3 and 4 also state that if the WDRs are not revised by 15 February 2016, then the Discharger must make modifications such that it complies with WDR Order R5-2008-0188 by 1 April 2016. The Discharger submitted the RWD and requested the revisions. However, revised WDRs will not be considered by the Board until either the April or June 2016 Board meeting. Therefore, the Discharger has requested that the dates in those corresponding items be changed. This Resolution amends the 13301 Order to change the 15 February 2016 date to 24 June 2016 and to change the 1 April 2016 date to 1 July 2016.
5. Hereby Ordered Item No. 5 relates to the use of compost leachate for dust control throughout the landfill. The Item requires that the Discharger either submit a report documenting that landfill leachate is no longer used for dust control on the landfill,

or submit a RWD requesting a revision to the WDRs. The Item further states that if the WDRs are not revised by 15 February 2016, then the Discharger may not use compost leachate for dust control on the landfill. The Discharger's 9 December 2015 letter states that "compost leachate has not been used for dust control for several months." However, Board staff recognizes that it is appropriate to use the compost leachate for dust control or moisture conditioning on the compost itself, as long as those compost piles are on top of an impervious surface. This Resolution amends the 13301 Order to state that after 15 February 2016, the Discharger may not use compost leachate for dust control except on the 22-acre impervious surface portion of the compost pad.

6. Hereby Ordered Item No. 11 requires the submittal of a report documenting that physical improvements have been completed such that the groundwater separation requirements are met at units DM-1 and DM-3.3. This Resolution amends Item 11 to reflect the Discharger's Engineering Feasibility Study and the conditions upon which Water Board staff approve the Engineering Feasibility Study and its implementation. The timeframe for submittal has been extended to the end of the 2016 construction season.
7. In preparation for expanding landfill Unit 3, the Discharger plans to clean close unit WP-9.1 in 2016, construct the subgrade in 2016, and install the liner in 2017. Unit WP-9.1 overlies a groundwater nitrate plume and the Discharger currently operates extraction well G-22 to remediate the plume. There is a concern that Well G-22 may be removed, or extraction stopped, before Water Board staff agree that the plume has been cleaned up or that the Discharger has implemented alternate measures to remediate the groundwater. Therefore, this Resolution amends the 13301 Order to state that well G-22 shall not be removed, nor shall groundwater extraction cease, unless the Discharger has received approval from Water Board staff.
8. The issuance of this Order is being taken for the protection of the environment and as such is exempt from provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) pursuant to California Code of Regulations, title 14, sections 15061 subdivision (b)(3), 15306, 15307, 15308, and 15321 subdivision (a)(2).
9. On February 19 2016, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider an amendment to the Water Code section 13301 Order.

IT IS HEREBY ORDERED THAT:

Water Code Section 13301 Order R5-2014-0117 is amended as shown in the underline/strikeout format in Attachment A. This Order is effective upon adoption.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

Failure to comply with this Order or with the WDRs may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on February 19, 2016.

Original Signed by

PAMELA C. CREEDON, Executive Officer